



Appeal Decision

Hearing held on 11 May 2011

Site visit made on 11 May 2011

by David Morgan BA MA (IoAAS) MRTPI IHBC

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 9 June 2011

Appeal Ref: APP/C3105/A/11/2146127

Hill House, Sibford Ferris, Banbury OX15 5RA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Charles Etherington Smith against the decision of Cherwell District Council.
 - The application Ref 10/00846/F, dated 2 June 2010, was refused by notice dated 29 July 2010.
 - The development proposed is conversion of disused barn at Hill House, Sibford Ferris, Oxfordshire to provide self contained residential studio type unit.
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Decision

1. I dismiss the appeal.

Main Issues

2. These are a) whether the proposed development would provide an acceptable standard of accommodation for future occupants and b) its effect on the character or appearance of the Sibford Ferris Conservation Area and surrounding countryside.

Reasons

Standard of accommodation

3. The accommodation proposed would undoubtedly be modest, comprising a multi-functional living area, kitchen and a separate bathroom. I agree with the Council that without the utilisation of the leanto extension (indicated as being retained on the plans) this layout leaves little room for storage. However, with a gross external footprint of approximately 47 square metres and with clever planning of the interior space, I consider the building could reasonably provide acceptable accommodation for a single occupant. Moreover, the Council have no adopted minimum standards by which such accommodation is assessed and their Private Sector Housing Inspector offers a somewhat contradictory view. He expresses concerns but stops short of objecting to the proposal, and concludes 'none of the issues mentioned above are related to a specific enforcement standard, assessment of any under the Health and Safety Rating System could result in the Council having to take enforcement action'. It remains unclear to me how the Council might take enforcement action if none of the issues relate to an enforceable standard. Whilst I accept that the Council have a concern that the diminutive proportions of the proposed dwelling may lead to pressure to extend, this would need to be the subject of

subsequent applications that could be assessed and legitimately rejected if they were held to contravene development plan policy (specifically criterion ii) of policy C30). Concluding on the first issue therefore, I consider the proposals compliant with policy C30 of the Cherwell Local Plan 1996 (CLP) specifically criterion iii) thereof.

Effect on character and appearance

4. The animal shelter, or former open-fronted dairy, lies at right angles to the lane adjacent to open fields on the northern periphery of the village and within the conservation area. Its mix of local rubble walls, corrugated metal roof, part-enclosed timber boarded front, intimate relationship with the surrounding land and air of gentle irregular neglect, make the building a very picturesque and positive component of the character and appearance of the conservation area. Insofar as this picturesque tableau can be seen in the wider context beyond the conservation area, the building also makes a distinctive and positive contribution to the broader landscape character of the area.
5. The architect has clearly based the proposed alterations on an understanding of the form and structure of this type of historic farm building, incorporating a timber posted frontage and the application of natural materials, and such an approach is not without merit. However, and critically in my view, the softer, irregular and decadent charm of the structure would be lost to the harder, rigid profile of the slate roof and new formality of the front elevation, and its intimate, almost organic relationship with the land harmfully eroded by the hard, unyielding and dominant enclosure of the walls proposed to surround the currently open earthen yard. Moreover, this harm is compounded by the prominence of the site within the conservation areas and surrounding landscape. Such an outcome would fail to preserve the character or the appearance of the conservation area in accordance with the requirements of Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. It would also conflict with policy HE7.4 of Planning Policy Statement 5 *Planning for the Historic Environment* and with policies H19, C7 and C13 of the CLP.
6. I sympathise with the appellant's desire to remain living and working in the village of his upbringing. However, such personal circumstances, unsupported by more detailed arguments justifying such an approach, can only be afforded very limited weight.

Conclusion

7. So although I have found the proposal would provide an acceptable standard of accommodation for a future occupant and this weighs in favour of the scheme, this benefit is outweighed by the substantial harm it would cause to the character and appearance of the conservation area and the surrounding countryside.
8. For the reasons given above I conclude that the appeal should be dismissed.

David Morgan

Inspector

APPEARANCES

FOR THE APPELLANT:

Mr A Padfield

FOR THE LOCAL PLANNING AUTHORITY:

Mr Simon Dean

Documents submitted at the Hearing

1. Notification of details of hearing date and venue - CDC
2. A3 and A4 enlargements of proposal plans - Appellant